



ZUCKERMAN SPAEDER LLP

1800 M STREET, NW SUITE 1000
WASHINGTON, DC 20036-5802
202.778.1800 202.822.8106 fax www.zuckerman.com

AITAN D. GOELMAN
Partner
(202) 778-7996
agoelman@zuckerman.com

November 20, 2013

VIA ECF and EMAIL (ForrestNYSDChambers@nysd.uscourts.gov)

The Honorable Katherine B. Forrest
United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 730
New York, NY 10007

Re: In re 650 Fifth Avenue and Related Properties, Case No. 08-CV-10934 (KBF)

Dear Judge Forrest:

We represent the Rubin Plaintiffs in the above-referenced actions and write in response to the letter from counsel for the Greenbaum, Acosta, Beer and Kirschenbaum judgment creditors that was submitted earlier today.

We have no objection to the request for a further adjournment to the deadline to file summary judgment motions concerning the innocent owner defense. Rather, we write to respectfully request that the Court clarify what pleadings it expects to be filed at this stage. It is our understanding that the applicable deadline applies *only* to motions that concern claims in forfeiture that may be asserted by the parties, and not to all issues involving the judgment creditors' claims to the assets at issue. In other words, it is our understanding that pleadings regarding whether TRIA trumps forfeiture, and regarding which judgment creditors' claims have priority under the relevant provisions of the CPLR, are not to be filed at this point in the litigation and will be submitted at a later date to be determined by the Court.



Hon. Katherine B. Forrest
November 20, 2013
Page 2

Respectfully submitted,

/s Aitan D. Goelman
Aitan D. Goelman

cc: All Counsel of Record (via email)